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Attorneys for Plaintiff  
LNV Corporation

UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION

**LNV CORPORATION**, a Nevada  
corporation,

Plaintiff,

v.

**ROBYNNE A. FAULEY**, a citizen of the  
State of Oregon; and **U.S. BANK  
NATIONAL ASSOCIATION**,

Defendants.

Case No. 3:15-cv-01422-HZ

PLAINTIFF'S MOTION FOR JUDICIAL  
NOTICE

Pursuant to Fed. R. Evid. 201

**LOCAL RULE 7-1 COMPLIANCE**

Pursuant to Local Rule 7-1(a), the undersigned counsel for Plaintiff conferred in good faith with Defendant by telephone on November 10, 2015, and the parties were unable to reach a resolution of this matter.

1- PLAINTIFF'S MOTION FOR JUDICIAL NOTICE

79707-0018/128404033.1

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## MOTION

Plaintiff LNV Corporation (“LNV”), by and through its attorneys, hereby requests the Court to take judicial notice pursuant to Federal Rule of Evidence 201(b)(2) of the facts enumerated in the memorandum below. This motion is supported by the following memorandum and the records on file with the Court in this action.

### MEMORANDUM IN SUPPORT OF MOTION

The facts of which LNV requests judicial notice are undisputed matters of public record and documents on file in the U.S. Bankruptcy Court for the District of Oregon. As such, the facts are not subject to reasonable dispute because they can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned. *See Harris v. County of Orange*, 682 F.3d 1126, 1132 (9th Cir. 2012) (A court “may take judicial notice of undisputed matters of public record, including documents on file in federal or state courts.” (citation omitted)).

1. The docket sheet from Defendant Robynne A. Fauley’s Chapter 13 bankruptcy case filed on September 11, 2007 in the U.S. Bankruptcy Court for the District of Oregon, Case No. 07-33624-tmb13 (the “Chapter 13 Case”), a true and correct copy of which is attached hereto as Exhibit 1.

2. Defendant Fauley’s Initial Chapter 13 Plan filed on September 26, 2007 in the Chapter 13 Case, a true and correct copy of which is attached hereto as Exhibit 2.

3. The Bankruptcy Court’s Order confirming Defendant Fauley’s Chapter 13 Plan, as amended in the Order, a true and correct copy of which is attached hereto as Exhibit 3.

4. The Transfer of Claim Other Than For Security filed by Litton Loan Servicing to transfer its claim against Defendant Fauley in the Chapter 13 Case to LNV, a true and correct copy of which is attached hereto as Exhibit 4.

5. The docket sheet from *Fauley v. Washington Mutual Bank, FA, et al.*, No. 3:13-cv-00581-MO, in the United States District Court for the District of Oregon (the “Dismissed Action”), a true and correct copy of which is attached hereto as Exhibit 5.

6. Defendant Fauley's Second Amended Complaint filed in the Dismissed Action, a true and correct copy of which is attached hereto as Exhibit 6.

7. The Judgment dismissing with prejudice all of Defendant Fauley's claims in the Dismissed Action, a true and correct copy of which is attached hereto as Exhibit 7.

DATED: November 10, 2015

*s/ Jeffrey M. Peterson*

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Attorneys for Plaintiff  
LNV Corporation

### **CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing **PLAINTIFF'S MOTION FOR JUDICIAL NOTICE** on the following:

Robynne A. Fauley  
12125 Southeast Laughing Water Road  
Sandy, OR 97055  
email: ihomm@ihomm.org

to be sent by the following indicated method or methods, on the date set forth below:

☒ by **mail** and

☒ by **email**

DATED: November 10, 2015

**PERKINS COIE LLP**

By: s/ Jeffrey M. Peterson

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